

THE UNIQUE EXPERIENCES OF INCARCERATED WOMEN IN THE UNITED  
STATES:

TRENDS, THEORIES, AND POLICY IMPLICATIONS

by

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## **ABSTRACT**

Incarcerated women are a unique group within the United States and often face different challenges than incarcerated men. This literature review seeks to analyze the trends within the incarcerated women's population, evaluate theories on why these trends are occurring, examine the distinctive difficulties women face during both incarceration and upon release, and finally, assess policy implications based on these theories and experiences. This review specifically examines women who re-offend, since they are the group with the largest risk factor. Theories involving drug, economic, social, and mental health reasons seem to have empirical validity, and therefore policy implications such as increased access to various prison programs specific to each woman and increasing the number of visitation options are suggested.

## **INTRODUCTION**

Women are often overlooked in criminal justice research because they are a small group. This literature review seeks to understand trends and take a look into the lives of incarcerated women with the limited information available. More research is necessary moving forward, but with the data currently available, we can see a glimpse of the current state of the criminal justice system and its treatment of women offenders. Though they are not a large population, the problems that plague the cycle of incarceration for women are still relevant and important. After examining the trends, theories, and unique experiences of women, this literature review will also make suggestions for policy changes within the current prison system and regarding the collateral consequences outside of incarceration.

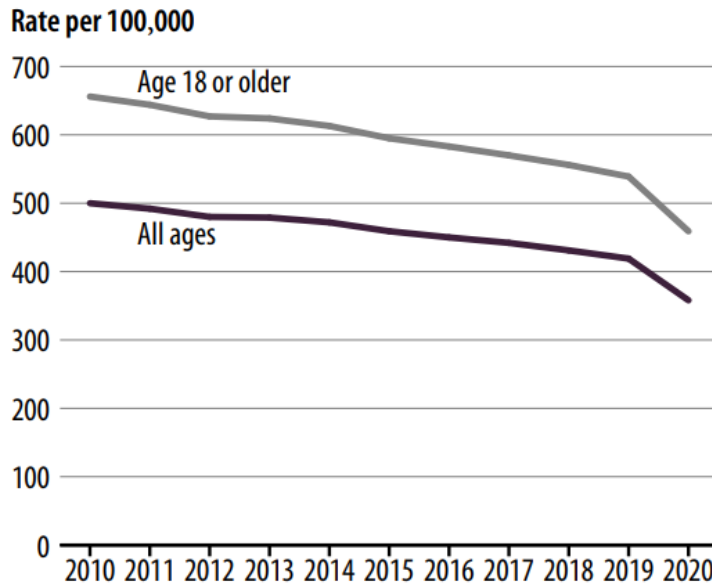
### **I. TRENDS**

#### **a. Rates in Incarceration**

Trends among incarcerated persons have substantially changed within the past decade. The era of mass incarceration began during the early 1970s, displaying a shocking rate of incarceration that had never been seen before in the United States. Due to tough-on-crime policies and the war on drugs, mass incarceration had reached its peak by the early 2000s [1]. At the end of 2001, about 1 in every 37 U.S. adults had ever served time in prison [2]. While there was an overall surge of incarcerated people during this era, women's incarceration population saw a much higher growth relative to men. Since 1978, women's state prison population "grew 834% over nearly 40 years — more than double the pace of the growth among men" and women were six times more likely to be incarcerated in 2001 than in 1974 [3].

However, since 2009, there has been a dramatic shift in the total number of incarcerated persons, including incarcerated women. As seen in Figure 1, on a national level, since 2009 the rate of incarcerated persons has steadily declined year after year.

**FIGURE 1**  
**Imprisonment rate per 100,000 U.S. residents, by age, 2010–2020**

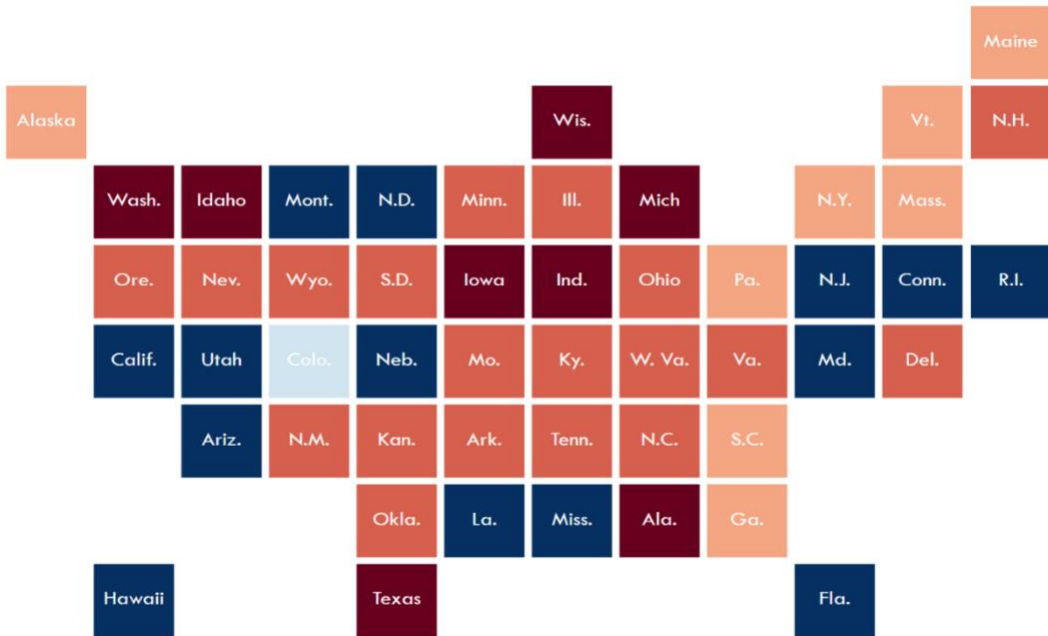


*Note: Reprinted from “Prisoners in 2020” by Ann Carson, 2020, Washington, DC: Bureau of Justice Statistics*

Women were no exception to this decline, with incarcerated women decreasing by 26.4% from 2010 to 2020 compared to men who saw a 24.5% decrease during the same period [4]. It can also be seen in Figure 1 that the COVID-19 pandemic also greatly impacted the decline in incarceration, with the sharpest decline occurring from 2019 to 2020. This could be due to the highly contagious illness forcing people to stay indoors limiting the opportunities for crime to occur.

Despite the national decline of imprisonment within the United States, however, it appears as though not every state is seeing the same rate of rapid decline.

**Figure 2: State-Level Trends**



Key:

- Women's prison population grew while men's prison population declined
- Women's prison population growth outpaced men's prison population growth
- Women's prison population declined, but proportionally less than the men's prison population declined
- Men's and women's prison populations declined proportionally
- Men's prison population fared worse (either grew while women's was flat or declined, outpaced women's growth, or declined by a smaller proportion than the women's population declined)

*Note: Reprinted from "The Gender Divide: Tracking Women's State Prison Growth", by Sawyer W., 2018, Prison Policy Initiative.*

As seen in Figure 2, since 2009 in 27 states women's incarceration rate either grew while men's declined or outpaced men's growth. This indicates that even though there is a national decline in incarceration within the United States, the decline is not uniform and certain areas are more likely to be affected than others. It is important to recognize this difference since this begs the question of why certain communities are seeing growth while others are experiencing a decline in incarceration. Unfortunately, this literature review cannot pinpoint exactly why, but it offers general theories that are more specific

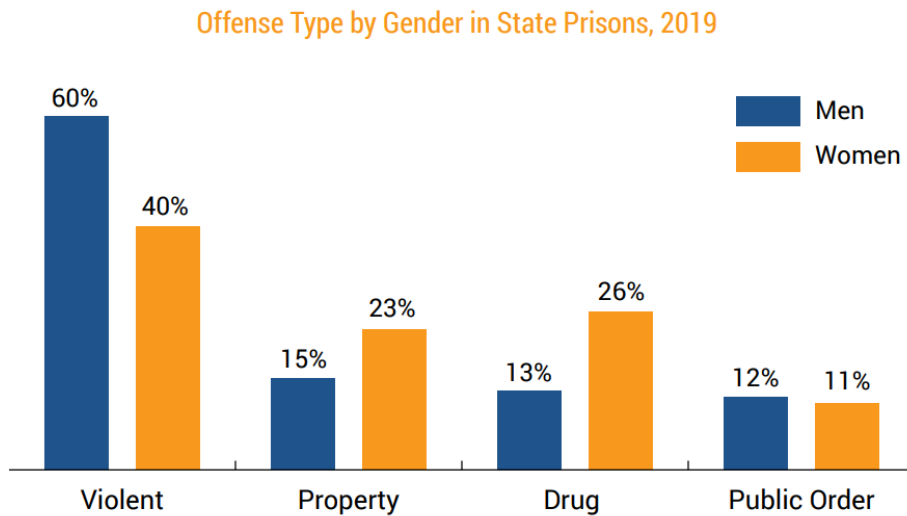


to women’s issues. More modern-day research is required to analyze and compare these communities upon closer inspection to truly understand what makes these communities more successful at lowering recidivism rates than others.

**b. Crime Rates**

Another important aspect of understanding women’s incarceration trends is to consider the types of crimes women engage in. To start, women have an average sentence length of about 30 months compared to men with an average sentence length of 44 months [5]. Women are also slightly less likely to go to prison; in 2020 about 79% of incarcerated women were sent to prison, compared to 94% of incarcerated men. This may be because women are less likely than men to commit violent crimes, and are more involved with lower-level offenses, such as drug and property-related crimes [6].

**Figure 3: Offense Type by Gender in State Prisons in 2019**



*Note: Reprinted from “Incarcerated Women and Girls.” by The Sentencing Project, 2022*

In figure 3, violent crime is still one of the more frequent crimes committed by women, but they are still vastly outpaced by men. Interestingly, women are now outpacing men in drug and property crimes as their most serious offense. However, it

should be noted that Figure 3 is based on official crime data, and therefore it may not be entirely accurate to say that women are using drugs more than men, rather, women are being incarcerated with their primary offense as a drug charge more frequently than men. Furthermore, official databases only record the most severe charge a person is arrested for, and therefore it is possible men may be charged with a violent crime and drug use, but the data only reflects the violent charge. Official data only gives part of the picture; many people within the United States have committed low-level offenses and simply haven't been caught for them, meaning that it is possible the women could be committing more crimes than official data records would reflect. Survey data regarding female offenders is necessary to understand if women are committing more crimes or which crimes they are more likely to engage in that they have not been arrested for.

Another facet of women's incarceration is that since women are typically given relatively shorter sentences, they are likely to still be monitored by the criminal justice system via probation. In fact, according to the U.S. Bureau of Justice Statistics, in 2020 there were over 763,000 women on probation, compared to roughly 83,000 in prison [4]. This is an important aspect to note for several reasons, including the fact that women will eventually return to regular society. Formerly incarcerated women struggle to adjust to society or be unable to access the tools necessary for their adjustment or even success. For recidivism rates to lower within the United States, politicians and leaders should consider rehabilitating and reintegrating these citizens back into society to prevent further victimization. Ending the cycle of chronic offending starts by giving people who have committed a crime a second chance, especially low-level offenders.

### **c. Recidivism**

In 2006, the U.S. Department of Justice analyzed over 23,000 women offender data records across 15 states between 1994-1997 and found that around 60% of the women in the sample were rearrested within three years upon release, with only 40% having a new conviction [7]. This indicates that women who leave prison are likely to re-offend soon after release, therefore implying that a majority of incarcerated women are re-offenders. It also suggests that the majority of women who re-offend are arrested for the same offense, meaning that their time in prison did not impact their likelihood to stop recidivating. There is often the idea in American culture that people who commit crimes “need to be taught a lesson” and that the fear of prison should be enough to deter people from committing crimes. However, severe punishment is not a deterrent to crime, as is indicated by the high rates of recidivism in the United States where the severest level of punishment still exists within certain states: the death penalty. Repeat or chronic offenders are not being “taught a lesson” by being locked in prison. To treat chronic offenders and reduce recidivism rates, they must learn life skills and be given the tools to survive. This literature review, therefore, will focus on the needs of re-offenders since they are the most likely group to engage in criminal behavior. The majority of incarcerated women are chronic offenders who therefore need treatment and access to programs that will create a supportive environment and aid in reducing recidivism.

## II. THEORIES

### a. Population Theory

Perhaps it is possible that the increase in the rate of women's incarceration could be attributed to the fact that the U.S. population has simply increased since 1974 and therefore if there are more women in the population, their chances of incarceration increase as well. According to the U.S. Census, there has been a steady increase in the population each year, with an average increase of 0.7% per year between 2010 to 2020 [8]. It should also be noted that the rate at which the total population for men and women was similar over the same period, with about a 7.8% population growth for men and 6.3% for women, with women continuously outnumbering men in the population [9]. While it would make sense probability-wise that since there are more women in the population, the likelihood of women being incarcerated would also increase, it seems contradictory to the previous data. Since 2009, there has been an overall *decrease* in incarcerated people, including women, despite the total population increasing. However, the decrease in incarcerated women is not uniform across the country and can vary by state, so general population theory cannot explain fully why these trends are occurring. The general increase in the total U.S. population may be partially responsible for such increases, but its role appears to be minimal at best.

### b. Economic Strain

Perpetuating the high rate of recidivism seems to be a lack of access to the economic tools necessary for a person's ability to thrive in American society. Several data sources indicate that women are less likely to afford bail [10] and are more likely to make less than \$600 per month than men before their arrest [11]. These findings suggest that

incarcerated women not only struggle to afford the costs of living but are also at a financial disadvantage when it comes to staying out of jail since they likely cannot afford to post bail.

Many incarcerated women also face a variety of economic strains after leaving prison and jail, due to the restrictions placed on them and their criminal history. The Bureau of Justice Statistics found that compared to the 8% of men on welfare before their arrest, almost 30% of women reported they were receiving welfare before their arrest [11]. This is important to note because in 1996 the Personal Responsibility and Work Opportunity Reconciliation Act was instated, which puts a lifetime ban on SNAP and TANF for those with a felony drug offense [12]. SNAP and TANF, which both fall under the umbrella of welfare, are slightly different but both are extremely important. SNAP is most commonly known as food stamps and helps to pay for food, while TANF is government assistance to pay for bills and other necessities like transportation and clothing [13]. Many states have modified this ban in a variety of ways, with some states allowing for eligibility after completing a drug program, completing probation, or after a certain period, like in Texas, where they may be eligible for SNAP two years after completing their sentence. As of April 2022, one state fully bans SNAP for felony drug convictions (South Carolina), and twenty-one states have a modified ban, while seven states fully ban TANF, with seventeen states continuing with a modified ban. However, despite the possibility of a reinstatement of food stamp eligibility, these requirements may take too long to be fulfilled and many see this as unfair prolonged punishment. Food stamps are necessary for many families' survival in the U.S., and with many women losing access to such vital sources upon release from prison, it is unsurprising that they re-offend in a variety of

ways. For one, the Personal Responsibility and Work Opportunity Reconciliation Act is more likely to negatively impact incarcerated women, since women are more likely to utilize welfare and are more likely to have a drug offense as their most serious charge than men. Women with children may lose custody of their children due to their inability to properly provide for their families, and women may commit crimes to be able to afford or access necessities. These collateral consequences have a long-standing impact on not just incarcerated women and men, but also their families who rely on them to be caretakers.

### **c. Drug Use and Social Bonds**

As stated previously, drug offenses seem to be one of the major reasons for women's incarceration. It has also been reported by the Bureau of Justice Statistics that about 40% of women prison inmates were under the influence of drugs at the time of their arrest which is a higher rate than men, who are more likely to be under the influence of alcohol than an illegal substance [11]. But going beyond the official crime record data, the Bureau of Justice Statistics also found that almost 1 in 3 women surveyed while serving time in prison said, "they committed the offense... to obtain money to support their need for drugs" [11]. Drug addiction is an ongoing issue within the United States, and coupled with economic strain many men and women use drugs as a means to escape their hardships.

In 2010 a meta-analysis concluded that women who are "drug dependent, have less education, or have more extensive criminal histories" are more likely to recidivate [14]. The study also found that the women who recidivated often traveled in small social circles, which further limited their opportunities for help with employment and other

social needs. The data seems to indicate a vicious cycle of re-entry since the tools necessary for social and economic survival are extremely scarce.

Social Bond Theory proposes that the strong social bonds to conventional family, friends, peers, and community members are a deterrent to committing crimes [15]. Putting into context women's release from prison through the lens of Social Bond Theory, it could be argued that their time in prison has weakened their bond to conventional society since they were away from family and friends over an extended period, which contributes to their likelihood of recidivating. Another possibility is that perhaps they never had a strong social bond with conventional people, leading them to commit crimes. Regardless of whether they had strong or weak social bonds before they entered prison, it is highly likely that they left prison with weak social bonds to the outside world. Criminal records limit many opportunities, such as employment, welfare, and housing options, which can influence the types of people they surround themselves with, most likely other convicted people or people struggling with substance abuse. Surrounding yourself with conventional people, or positive influences is an important step for many women's social and economic opportunities. The 2010 meta-analysis also concluded that "substance abuse affects recidivism, and can compromise women's employment opportunities, relationships with children, and social support". Many women lose access to their freedom and relationships with loved ones that could potentially support them out of their addiction and deter them from recidivating.

#### **d. Mental Health**

Mental health can often be a compounding component of women's likelihood of recidivism. Women are nearly twice as likely to have a mental illness across all levels of

incarceration, including prison, local jails, and probation, compared to men [16]. Women also reported higher levels of experiencing physical and sexual abuse before admission across all levels of incarceration, further contributing to mental illnesses such as depression and post-traumatic stress disorder. One study found, via a representative sample, that an estimated one-fourth of incarcerated women have co-occurring substance abuse and mental health conditions, and about nine in ten women had chronic health problems that require treatment [17]. The study also noted that a majority of incarcerated people who were released did not have health insurance for eight to ten months after release, meaning that if an individual required medication or treatment for their mental or physical illness, they would have to attempt to pay it out of pocket, further contributing to their economic strain. Many people simply cannot afford to pay for medicine or treatment, especially incarcerated women, since they are more likely to have a smaller income.

Mental health, social bonds, drug use, and economic strain are all somewhat connected to each other, with some issues having a stronger influence than others, but contributing to a cycle of recidivism. Incarcerated women are not getting the treatment they need for mental health, are taken away from government assistance such as food stamps, and are unable to form positive social bonds with law-abiding people. However, while these issues are more likely to affect women, they are still very relevant to men's incarceration. Therefore, it is also important to discuss what makes women's experiences in the criminal justice system unique to get a better understanding of the needs of incarcerated women.



### **III. Unique Experiences**

#### **a. Women's Healthcare**

One of the main issues with women's correctional facilities is the lack of proper healthcare. In August 2017, the Bureau of Prisons issued a memo stating they would be offering menstrual products, including pads and tampons, free of charge [18]. And while this action was a monumental win for women's rights, state and local prisons have failed to follow such progressive policies. One journal found that "not only do most prisons provide subpar menstrual health products in terms of quality, prisons often do not provide enough of these products to allow individuals to change their pads and tampons at the doctor-recommended frequency. As a result, incarcerated women are at a heightened risk of toxic shock syndrome, sepsis, and ovarian cancer" [19]. Women are also at an increased risk for other preventable diseases, such as breast cancer, since they are often not screened, or their abnormal screenings are not detected [20]. However, it is unknown the full scope of treatment incarcerated women receive since there is no centralized database containing information on women's health across every prison in the United States.

Similarly lacking is the information surrounding pregnant inmates and prenatal care. In 2010, the Rebecca Project reportedly found that "38 states had no policies requiring that incarcerated pregnant women receive basic prenatal care, and 41 states did not ensure adequate prenatal diets" [21]. However, it is not just women's diets that put them and their fetuses at increased risk, but also the prison environment. One journal found that the use of restraints during pregnancy, labor, and childbirth increased the risk of falls, placental abruption, poor circulation, and potentially interfered with urgent medical

procedures [22]. Though there has been some progress to tackle the issue of shackled pregnant women, it is not enough. As of December 2020, only 36 states have laws in place that restrict the use of restraints during labor and delivery, though passing a law does not always mean prisons are compliant with these laws. A survey sent out to formerly incarcerated women from a New York prison, which prohibits the use of restraints during pregnancy, found that several women were handcuffed or shackled during their health examinations, and at least 25 women reported receiving their exams in solitary confinement, which goes against the Department of Corrections and Community Supervision policy [23]. But the poor healthcare provided to women goes beyond the correctional facility and can follow them upon release. Geniece Monde, the author of “This is Our Freedom: Motherhood in the shadow of the American Prison System”, interviewed around 70 incarcerated women about their motivations, feelings, beliefs, and experiences in and out of prison [24]. One such woman, named April, described how she struggled to find prenatal care both in and out of the prison system, and how she was turned away by a birthing center due to her offender status. According to April, a woman working at the center asked if April was previously convicted and April answered honestly. Afterward, April asked if she could give a natural water birth at the facility, to which the woman working at the center supposedly denied, claiming that April wasn’t “normal” but rather a criminal, and therefore she could not have a water birth since they “didn’t know what [she] would do,” implying that April was dangerous [24]. April decided to go to a different facility, which did not ask about her criminal history and allowed her to have a water birth as requested. Though this may be only one instance, it highlights how women continuously face discrimination based on their previous criminal

history, even in healthcare settings. Healthcare is often unique for women since they have different sanitary and health problems more likely associated with their sex, and the treatment of such problems has often been ignored in the United States prison system. Again, it wasn't until 2017, only five years ago, that women in prison could have access to menstrual products without having to pay for them. As mentioned previously, many women could not afford bail or other living necessities before their arrest, so it is continued punishment for women who are financially disadvantaged to struggle to have access to necessary menstrual products. Today, the fight for women to obtain enough of those free menstrual products continues. It may be easier to ignore these issues since offenders are often seen as lesser, however just because someone is incarcerated does not mean they don't deserve to be treated humanely and with respect. Even if their actions are disagreeable, they still should be given proper healthcare and a second chance.

#### **b. Motherhood**

While healthcare and prenatal care are seemingly inadequate in prisons, there is also evidence that when mothers are separated from their children due to incarceration, there are potentially severe consequences for both the mother and their child. In both state and federal prisons, 58% of women are mothers with a minor child under the age of 18, and it is estimated that in 2016 there were 1.5 million children who had a parent within state and federal prisons [25]. Women are more likely to be the primary caretakers of children [26], therefore once they are incarcerated they may lose custody of their child and be unable to stay in contact [27]. Staying in contact with children is an extremely important deterrent to crime for mothers. In one interview by Justice Quarterly, several incarcerated women cited that their children were “an important incentive to desist from crime” [14].

Several other studies have also found that children can provide high levels of social satisfaction for women especially in disadvantaged environments [28], help with their self-concept [29], and are significantly more likely to enter a drug program if they were expected to live with their children after completing the program [30]. Relationships with their children are immensely beneficial for women and potentially for their children as well. When interviewing children of incarcerated parents, some children felt relief their parents were in prison, especially if the parents were abusive to them, but for the most part, children noted they worried about their parent(s) and feared social isolation [31]. These children also reported looking forward to seeing their parents, and had positive, although sometimes unrealistic, goals about what they would do once their parent(s) were released. Children are optimistic about their parents, but when they are separated or have little to no visitation, the stress of not knowing where their mother is can take a toll on children, including developing anxiety, depression, and continued stress.

**c. Distance**

Contributing to the separation of incarcerated mothers and their children include the inability to visit. Visitation with children may be limited if an incarcerated mother loses custody and the child is sent to foster care, or visitation may simply not be possible for families due to economic reasons. The criminal justice system is decentralized, therefore there is no official database of how many active state prisons for women there are in the country, but it is estimated that there are a total of 96 state prisons [32] and 29 federal prisons for women in the United States [33]. In 19 states, there is only one state prison for women in the entire state, some of which are large states like Kansas, South Dakota, Nebraska, and Montana, which could mean that families can be separated by a great

distance since there is only one option available. Compared to the numerous men's facilities, an estimated 1,000 state confinement facilities [34], and 93 federal prisons [35], women have limited options. As mentioned previously, incarcerated women are more likely to be economically disadvantaged, and therefore they may not be able to afford to pay for long travels across the state for their family to visit. Many prisons also do not have access to virtual visitation, either because the prison forbids it or because families cannot afford to purchase the technology [36]. There is also evidence that several prisons deny in-person visitation and replace it with virtual visits or calls, but then charge high rates for those calls; while some states have passed legislation to try to curb this practice, it is unknown how prevalent these prison policies are across the nation [37].

#### **IV. Policy Implications**

##### **a. Close the Distance**

Children are a motivator for mothers to not only stay out of prison but to also seek treatment for their mental and physical health. Closing the distance and allowing for more options to see their families could be a promising program to prevent incarcerated mothers from recidivating. This could be in the form of increasing public transport, via busing or trains, or providing family members with ways to stay in contact virtually. Many people may find the technology confusing, so it is also important to demonstrate to families how to use virtual visitation and provide guidance when needed. One way is to have local libraries as a place where families of incarcerated people can go to use computers and Wi-Fi, while librarians can also help them navigate the technology when needed. This could be one inexpensive way to integrate virtual visitation and already

long-standing meeting places that have access to such technologies for families who could not afford to purchase them themselves. It could also increase the flow of people going into libraries, which often face closure in our country. However, it should be noted that prisons should offer both in-person and virtual visits, and not replace one with the other, as this would be unfair to families who either live nearby by the prison but cannot afford virtual visits or who live far away and cannot afford to visit in person. Limiting options will only hurt different types of families and potentially only allow more affluent incarcerated women the chance to see their children.

Virtual visitation, however, has its pros and cons. Some of the virtual visitation benefits for families include easier visitation since work and school-aged children have limited availability throughout the day and virtual visitation is much more flexible for prisoners and prison staff. It can be less disruptive for a child to see their loved one virtually in the comfort of their home instead of in a prison setting. Some of the major drawbacks, however, include that virtual visits are less intimate, and technological glitches can inhibit the quality of time during the visitation. The costs are also expensive for families, yet if a government-funded program or budget adjustment could help offset the costs for families, this could be beneficial to families who live far away from the prison. Even if the virtual visits are less intimate than in-person visits, it may be better than not seeing a loved one at all and preferable to phone calls. Overall, it is key to allow families the opportunity to visit in person and virtually within federal and state prisons, to facilitate social bonds between mothers and their children of all backgrounds and circumstances.

## **b. Increase Opportunities for Success**

Increasing opportunities for success not only includes strengthening women's social bonds but also includes giving them access to economic opportunities. To start, the bans on SNAP and TANF for federal drug offenses puts incarcerated women at a severe disadvantage to feed themselves and their families. This prolonged punishment even after serving time is unfair and further disadvantages groups who are already in difficult environments. It is especially punitive towards incarcerated women because they are more likely to not only use welfare but also more likely to be convicted for drug charges. The inability to properly feed their children once out of prison also increases the risk of mothers losing custody of their children and potentially severing their attachment if they are unable to see them. To preserve these positive bonds with their children and give women a better chance, the bans on SNAP and TANF need to be repealed. In some states, incarcerated people face a life sentence of punishment outside of the courtroom, and many people are unaware of these consequences. The Personal Responsibility and Work Opportunity Reconciliation Act is especially punitive for drug offenses, and if anything, the criminal justice system should be more interested in rehabilitating and helping incarcerated people overcome their addiction, rather than severely punishing them for developing an addiction. Punishment should be a small part of prisons and instead should focus on reintegrating people back into society, which would prevent further crime in the future as well as lower the rate of victimization within the United States.

The second key to success for more opportunities for incarcerated women includes providing a myriad of programs to all prisons for women to choose from. Not all women

have the same experiences or needs like mental health, substance abuse, or childcare so they should have access to different programs. Having a variety of programs allows for a greater chance of success since they can reach the greatest amount of people and these programs can be tailored to their needs. Some women may struggle with mental health, but not with substance abuse, so if the only program available is for substance abuse, they may be more likely to recidivate since their needs are not being properly addressed. The idea of having a variety of programs and programs tailored to women has shown some empirical validity. One study found that “women and girls are more likely to respond well to gender-informed approaches if their backgrounds if their backgrounds and pathways to offending are associated with gendered issues” [38], meaning that programs that help with childcare or women’s health may be beneficial to deterring recidivism since those issues are more likely to affect women.

**c. Improve the Quality of Healthcare**

Women who have been incarcerated are still human beings who deserve to be treated humanely and their right to live safely should be respected. Increasing access to menstrual products helps women maintain their dignity in prison as well as prevent serious health issues. If anything, the criminal justice system should be more interested in taking care of its incarcerated population, not just because it is the humane thing to do, but also because it is financially advantageous. Civil suits regarding the maltreatment of current and formerly incarcerated people can be very costly, so even if the criminal justice system isn’t motivated by morality, it should still see the financial benefit of giving women access to menstrual products.

Improving the quality of healthcare includes better access to prenatal treatment



and medicine, an abundance of menstrual products for women to use during incarceration, and regular health screenings. Women may suffer from preventable diseases such as breast cancer and are not able to be formally diagnosed and receive treatment because they are imprisoned. This could potentially be a death sentence for many women that could have been prevented had they received the proper medical care.

Another important issue regarding women's healthcare is the use of restraints during pregnancy and labor. These collateral consequences could severely impact the mother's health as well as the child, or even lead to the loss of life. Again, just because a woman is incarcerated does not mean they don't deserve to be treated humanely and allowed to give birth in a safe environment.

#### **d. Centralize Information**

Perhaps the most problematic and chronic issue plaguing the criminal justice system is the lack of information. Specifically for incarcerated women, there is no centralized government entity or database that collects and organizes information for state prisons. Federal prisons only make up about 23% of the correctional facilities for women, yet this is primarily where the data is collected and reported on. While women are a small portion of the incarcerated population, an estimated 9%, that doesn't mean they should not be researched, and their problems aren't important [39]. We can only estimate how good or bad the situation is for incarcerated women using studies involving samples and surveys to go beyond the limited official data provided, and it would be much easier for researchers and criminal justice reformers to understand female offenders if there was a central database available to researchers. Access to information such as healthcare being provided, infant mortality in prisons, pregnancy complications, or other imperative

information is necessary to truly understand the life and struggle of an incarcerated woman and to better provide aid. The justice system should be there to reform incarcerated offenders and to prevent them from reoffending, but in its current state, it is not properly equipped to effectively reduce recidivism. For more productive policies to be implemented, further research and testing are vital.

## **CONCLUSION**

Based on the information available, it can be concluded that even though there is an overall decline in incarceration across the United States, there are still areas in the country seeing a rise in rates of incarceration, and in many of those areas, women are outpacing men. Theories explaining these trends include economic strains, like the restriction of welfare that predominately affects women, lack of strong social bonds to conventional society, drug addiction that interferes with daily life, and mental health issues that often go untreated. These theories can also affect incarcerated men's population but in slightly different ways. Women are more likely to have a drug charge as their most serious offense, are more likely to report struggling with mental health, and are more likely to have a lower income than men, therefore these theories can affect both sexes but lean more towards women. Menstrual health, pregnancy and labor, motherhood, and long distances between prisons and families are also unique experiences women face while incarcerated. Taking into account these unique experiences and theories discussed, this literature review suggests more availability for virtual and in-person visitation to strengthen social bonds with their children and other family members, rescind the bans on SNAP and TANF, increased access to various programs within the

prison system to help teach incarcerated women life skills, increased access to menstrual products and health screenings, the restrict the use of restraints during pregnancy and delivery, and for the creation of a centralized database for inmate information. These suggestions could potentially lower the rate of recidivism, lower the rate of victimization, increase the quality of life, and increase the understanding of incarcerated women.

### **ACKNOWLEDGMENTS**

The majority of data used is from the early 2000s or 1990s, which is not entirely reflective of the current state of our criminal justice system. Most of the recent data is official crime data which only reflects the arrests and convictions of women offenders. More research is needed for a better estimate of trends within the United States and to provide better policy implications based on empirical data. Such research should include survey data to get a better understanding of crime trends and experiences for women.

The race is also an important factor regarding women's incarceration, but there is a lack of data regarding the racial makeup of incarcerated women. Many data sets only reflect White or Black populations, with few including Hispanic populations, while other races and ethnicities are not mentioned whatsoever. It is also unclear how the data on race and ethnicity are collected, which can severely alter the outcome of the data. It is unknown whether prison staff assumed the race or ethnicity of the inmate, or whether inmates were given the option to identify themselves. Due to the lack of information, more research is needed regarding race in women's incarceration.

The experiences of transgender women are also unique and unfortunately were not explored within this literature review. More research and empirical data are required;

perhaps even an ethnography or similar long-term studies would be beneficial for transgender women within the prison system.

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